



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**NOV 14 2017**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

David Waddington, Manager  
Connecticut Scrap, L.L.C.  
140 Route 32, N. Franklin, Connecticut 06254

Re: Clean Air Act Reporting Requirement

Dear Mr. Waddington:

The United States Environmental Protection Agency ("EPA") is evaluating whether Connecticut Scrap, L.L.C. ("Connecticut Scrap") and its related entities are in compliance with the Clean Air Act ("CAA" or "Act") and certain requirements promulgated under the Act. These related entities include, but are not limited to:

- CT Scrap, 33 Pequot Road, Uncasville, Connecticut
- City Auto Parts, Inc., 28 -30 Fishfry Street, Hartford, Connecticut;
- Nichols Salvage, 46 Meadows Road, Clinton, Connecticut;
- Ross Recycling, Inc., 64 Tucker Hill Road, Putnam, Connecticut;
- Yerringtons, 655 Norwich-Westerly Road, North Stonington, Connecticut; and
- Exeter Scrap Metal, Inc. or Exeter Scrap Metal, LLC, 405 Nooseneck Hill Road, Exeter, RI;

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

In particular, EPA is evaluating compliance with:

- The National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, found at 40 C.F.R. Part 63, Subpart ZZZZ;

- The New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines, found at 40 C.F.R. Part 60, Subpart IIII;
- The New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines, found at 40 C.F.R. Part 60, Subpart JJJJ; and
- The Recycling and Emission Reduction requirements of Ozone Depleting Substances found at 40 C.F.R. Part 82, Subpart F.

### **Reporting Requirement**

**A. Reciprocating Internal Combustion Engines:** Within 45 calendar days of receiving this letter, Connecticut Scrap is required to:

1. Provide the information requested in each sub-paragraph below for each stationary internal combustion engine that Connecticut Scrap or its related entities own and/or operate. (Note: for the purposes of this reporting requirement, stationary shall mean any and all engines that remain, or have remained in the past, in the same location for 12 consecutive months or more).
  - a. The designation and location;
  - b. The purpose (e.g., to provide mechanical power, to provide primary electrical power, emergency generator, fire pump, etc.);
  - c. If the engine participates in an ISO New England Operating Procedure then state which procedure and the date the engine first operated under it;
  - d. The manufacturer, model number, and serial number;
  - e. The month, day, and year of manufacture;
  - f. The month, day, and year of purchase (the date when a binding contract was in place to purchase the engine);
  - g. The month, day, and year of installation;
  - h. The ignition type (i.e., spark or compression);
  - i. The maximum output capacity (in brake horsepower, horsepower and kilowatts);
  - j. The displacement value of the cylinders (liters/cylinder);
  - k. Itemized hours of operation, including the purpose for operation, for calendar years 2013, 2014 and 2015;
  - l. Whether the engine has an emissions control system, such as a catalytic oxidizer;
  - m. Whether the engine has an open or closed crankcase ventilation system. If the engine has an open crankcase ventilation system, provide information on whether the engine is equipped with an open crankcase filtration emission control system (e.g., properly functioning "breather cap" or some other type of device); and
  - n. Whether you have a "Certificate of Conformity" for the engine provided by the manufacturer. Provide copies of each certificate to EPA and indicate which certificate is associated with which engine.
2. For all of the stationary internal combustion engines described in your response to Question 1 above, indicate whether you or your related entities submitted to EPA and/or Connecticut DEEP any of the following documents pursuant to 40 C.F.R. Parts 60 and 63. If you answer "yes" to any sub-paragraph below, provide copies of each document:

- a. Initial notifications;
- b. Notifications of intent to test;
- c. Initial performance test reports or other initial compliance demonstrations;
- d. Notifications of compliance status;
- e. Percent load reports;
- f. Site specific monitoring plans;
- g. Performance evaluations of the continuous parameter monitoring systems (e.g., the temperature monitors measuring temperature at the inlet to the oxidation catalysts associated with the engines); and
- h. Semiannual or annual compliance reports.

**B. Ozone Depleting Substances:** For each Connecticut Scrap facility:

1. Provide completed "Scrap Acceptance Agreements" from all scrap metal suppliers. Include documents and contracts that have been in use or created from January 1, 2015 to the present. The term "Scrap Acceptance Agreement" shall mean an agreement between Connecticut Scrap or related entities and those parties who sell them recyclable materials, and which governs each purchase of recyclable materials by Connecticut Scrap and related entities from these sellers.
2. Provide all contracts and/or written statements from scrap suppliers verifying that refrigerants have been removed prior to bringing the materials to a Connecticut Scrap or related entity facility, from January 1, 2015 to the present.
3. State whether or not Connecticut Scrap or a related entity has accepted any appliance and/or motor vehicle air conditioners from January 1, 2015 to the present. The definition of "appliance" and "MVAC" from 40 CFR Part 82 Subpart F are as follows:
  - a. ***Appliance** means any device which contains and uses a class I or class II substance or substitute as a refrigerant and which is used for household or commercial purposes, including any air conditioner, motor vehicle air conditioner, refrigerator, chiller, or freezer. For a system with multiple circuits, each independent circuit is considered a separate appliance.*
  - b. ***Motor vehicle air conditioner (MVAC)** means any appliance that is a motor vehicle air conditioner as defined in 40 CFR part 82, subpart B.*
4. Provide a copy of all documents that show the volume of appliances and/or motor vehicle air conditioners accepted by Connecticut Scrap or a related entity on a monthly basis from January 1, 2015 to the present (monthly volume may be expressed as weight of material by category).
5. Provide receipts for all refrigerants that were recovered at a Connecticut Scrap or related entity facility and sent to a reclamation company from January 1, 2015 to the present.

Be aware that if Connecticut Scrap does not provide the information required in this Reporting Requirement in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

Provide the above-required information to:

Karen McGuire, Acting Director  
Office of Environmental Stewardship  
US EPA Region 1  
Mail Code OES04-2  
5 Post Office Square Suite 100  
Boston, Massachusetts, 02109-3912  
Attn: Abdi Mohamoud

If you have any questions regarding this Reporting Requirement, please contact Abdi Mohamoud at (617) 918-1858, or have your attorney call Tom Olivier at (617) 918-1737.

Sincerely,



Karen McGuire, Acting Director  
Office of Environmental Stewardship

cc: Robert Girard, Connecticut DEEP  
Laurie Grandchamp, RI DEM